

30788. Adulteration and misbranding of surgical dressings. U. S. v. Five Gross Packages of Surgical Dressings. Default decree of condemnation and destruction. (F. & D. No. 45515. Sample No. 52418-D.)

This product had been shipped in interstate commerce and remained unsold and in the original unbroken packages. At the time of examination it was found to be contaminated with viable micro-organisms.

On June 22, 1939, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of five gross packages of surgical dressings at Tyrone, Pa.; alleging that the article had been shipped on or about March 30, 1939, by the Antiseptic Products Manufacturing Co. from Baltimore, Md.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "S. A. Antiseptic Surgical Dressing."

It was alleged to be adulterated in that its purity fell below the professed standard or quality under which it was sold, namely, (carton) "Antiseptic gauze" and (circular) "sterilized," since it was not sterile but was contaminated by viable micro-organisms.

Misbranding was alleged in that the following statements in the labeling were false and misleading when applied to an article that was not sterile but was contaminated with viable micro-organisms: (Display carton) "Sterile," "Antiseptic Surgical Dressing," "Antiseptic Gauze," and "Conforms to U. S. Gov't. standards for antiseptic products"; (small carton) "The Antiseptic Surgical Dressing for All Purposes," "Antiseptic Gauze," "A Complete Antiseptic Dressing," "Sterile," and "Conforms to U. S. Gov't. standards for antiseptic products"; (envelope) "Sterile," "Antiseptic," and "This Antiseptic Gauze has been treated by a Special Process to maintain its Sterile and Antiseptic properties even in ordinary handling"; (circular) "Gauze * * * Sterile and Antiseptic * * * the gauze being necessary only in severe bleeding cases."

On July 17, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30789. Misbranding of Absorbal Dental Absorbents and Absorbal refills. U. S. v. 3 Boxes of Absorbal and 72 Packages of Absorbal Refills. Default decrees of condemnation and destruction. (F. & D. Nos. 45396, 45397. Sample Nos. 48641-D, 48642-D.)

These products had been shipped in interstate commerce and remained unsold and in the original unbroken packages. At the time of examination they were found to be contaminated with viable micro-organisms.

On May 22, 1939, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of three boxes of Absorbal Dental Absorbents and 72 packages of Absorbal refills at St. Paul, Minn.; alleging that the articles had been shipped on or about April 28, 1939, by Edward Girvin, D. D. S., from Philadelphia, Pa.; and charging misbranding in violation of the Food and Drugs Act. The articles were labeled, respectively: "Absorbal * * * Gauze Covered Cellucotton * * * The Perfect Dental Absorbent," and "One Reel Refill Absorbal."

The articles were alleged to be misbranded in that the following statements were false and misleading when applied to dental absorbents which were not sterile but which were contaminated with viable micro-organisms, including gas-producing anaerobes: (Absorbal) "The Perfect Dental Absorbent * * * Blue Nurse Products"; refills) "Re Sterilized after packaging."

On July 13, 1939, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30790. Adulteration and misbranding of Ung Nigrum, U. N. Rectal Cones, and U. N. Vaginal Cones. U. S. v. 21 Jars of Ung Nigrum (and 2 similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 45278, 45279, 45280. Sample Nos. 39442-D, 39443-D, 39444-D.)

These products were labeled to indicate that silver nitrate was the sole therapeutic agent; whereas they contained other therapeutic agents in addition to silver nitrate. The labeling bore false and fraudulent curative and therapeutic claims.